

LESLIE F. LEVY, State Bar #104634
SHARON R. VINICK, State Bar #129914
DICKSON LEVY VINICK BURRELL HYAMS, LLP
180 Grand Ave., Suite 1300
Oakland, CA 94612
Tel: 510-318-7700
Fax: 510-520-7701

Attorneys for Plaintiffs

DENNIS J. HERRERA, State Bar #139669
City Attorney
ELIZABETH SALVESON, State Bar #83788
Chief Labor Attorney
JONATHAN ROLNICK, State Bar #151814
Deputy City Attorney
Fox Plaza
1390 Market Street, 5th Floor
San Francisco, California 94102-5408
Telephone: (415) 554-3845
Facsimile: (415) 554-4248

Attorneys for Defendant
City and County of San Francisco

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES WILSON, et al.,
Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO CALIFORNIA, A
MUNICIPAL CORPORATION,
Defendant.

Case No. C 07-1016 PJH

**JOINT STATUS CONFERENCE
STATEMENT REQUESTING AN
ORDER VACATING THE STATUS
CONFERENCE, AND [PROPOSED]
ORDER**

Hearing Date: January 20, 2011
Time: 2:00 P.M.
Place: Courtroom 3, 3rd Floor
Oakland, California

The parties to the above-entitled action jointly submit this status conference statement and proposed order vacating the January 20, 2011 status conference.

1 **I. SETTLEMENT**

2 The parties have reached a tentative settlement. The parties have exchanged drafts of a
3 settlement agreement commemorating the terms of the settlement. In addition, the parties are in the
4 process of exchanging additional payroll information regarding the plaintiffs that will assist in the
5 allocation of settlement sum among the 194 plaintiffs. As this is case is a collective action under the
6 the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201, *et seq.*, the parties anticipate filing a
7 stipulated motion for approval of the settlement.

8 The parties anticipate finalizing the settlement agreement shortly and beginning the process of
9 securing agreement from each of the plaintiffs to the final settlement. Thereafter, the parties will file
10 a motion to approve the settlement. The parties hope to do so within the next sixty days.

II. REQUEST THAT THE JANUARY 20, 2011 STATUS CONFERENCE BE VACATED AND RESCHEDULED FOR MARCH 24, 2011

In light of the tentative settlement, the parties request that the status conference currently scheduled for January 20, 2011 be vacated and be rescheduled for March 24, 2011.

Dated: January 13, 2011

DENNIS J. HERRERA
City Attorney
ELIZABETH S. SALVESON
Chief Labor Attorney
JONATHAN C. ROLNICK
Deputy City Attorney

By: /s/ Jonathan C. Rolnick
JONATHAN C. ROLNICK

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

Dated: January 13, 2011

DICKSON LEVY VINICK BURRELL HYAMS, LLP

By: /s/ Leslie F. Levy
LESLIE F. LEVY

Attorneys for Plaintiffs
JAMES WILSON, ET AL.

IT IS SO ORDERED:

That the status conference currently set for January 20, 2011 is hereby vacated. On or before March 24, 2011, the parties shall either submit a stipulated motion for approval of the settlement or advise the Court regarding the status of the settlement.

Dated: January 18, 2011

